



Renaissance One  
Two North Central Avenue  
Phoenix, Arizona 85004-2391  
602.229.5200  
Fax 602.229.5690  
www.quarles.com

Attorneys at Law in  
Milwaukee and Madison, Wisconsin  
Naples and Boca Raton, Florida  
Phoenix and Tucson, Arizona  
Chicago, Illinois

211

RECEIVED  
CENTRAL FAX CENTER

DEC 20 2004

Date: December 20, 2004

## Facsimile Transmission Form

To:	Fax No.	Phone No.
Name Company/Firm City, State Zip Country	U.S. Patent and Trademark Office Attn: Art Unit 3677 Examiner: Thomas Y. Ho	(703) 872-9306
From:	Robert D. Atkins	602-229-5690
Re:	<b>RESPONSE TO RESTRICTION/ELECTION REQUIREMENT</b> USSN: 10/613,281	

### Message:

IF YOU HAVE PROBLEMS RECEIVING THIS FACSIMILE, PLEASE CALL US IMMEDIATELY AT:  
602.229.5361

No. of Pages (Including Cover): 3	Job Code:
Client - Matter No.: 121236,00003	Time Keeper: RATKINS
Recipient:	Return To: MONEILL
Requestor Name:	Phone No.:

IMPORTANT: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND/OR CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA REGULAR POSTAL SERVICE. THANK YOU.

Please type a plus sign (+) inside this box → +

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

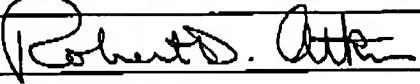
		Application Number	10/613,281
		Filing Date	July 3, 2003
		First Named Inventor	Michael D. Brookshire
		Group Art Unit	3677
		Examiner Name	Ho, Thomas Y.
Total Number of Pages in This Submission	2	Attorney Docket Number	121236.00003

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT  
MAILED 11/30/04

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Robert D. Atkins, Reg No. 34,288, QUARLES & BRADY STREICH LANG LLP
Signature	
Date	December 20, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to facsimile number (703) 872-9386 on the date shown below.

Typed or printed name	MARITZA O'NEAL
Signature	
Date	December 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450.

DEC 20 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Brookshire, M.	Customer No.:	26707
Serial No.:	10/613,281	Confirmation No.:	4021
Filed:	July 3, 2003	Examiner:	Ho, Thomas Y.
For:	<i>METHOD OF FACETING GEMSTONES TO PRODUCE SPIRALING EFFECT</i>	Art Unit:	3677

## RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed November 30, 2004, Applicant hereby elects, without traverse, the claims classified as Group I in the Office Action. Namely, Applicant elects Claims 1-12, drawn to a gemstone, classified in class 63, subclass 32.

Applicant hereby withdraws Claims 13-24 from further consideration in this Office Action, but reserves the right to prosecute these claims in one or more divisional applications, which may be filed before the close of prosecution of the instant application.

Respectfully submitted,  
**QUARLES & BRADY STREICH LANG LLP**

December 20, 2004By: Robert D. Atkins

Robert D. Atkins  
 Reg. No. 34,288

Attorney Docket No. 121236.00003  
 Address all correspondence to:  
**Robert D. Atkins**  
 Quarles & Brady Streich Lang LLP  
 One Renaissance Square  
 Two North Central Avenue  
 Phoenix, AZ 85004  
 Telephone: (602) 229-5311  
 Facsimile: (602) 229-5690  
 E-mail: rda@quarles.com

QBPHX1894349.1